

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

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In re:

NATIONAL FORGE COMPANY, et al.,

Debtor.

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OFFICIAL COMMITTEE OF UNSECURED  
CREDITORS OF NATIONAL FORGE  
COMPANY,

Civil No. 04-21 Erie

Document No. \_\_\_\_\_

Plaintiff,

and

OFFICIAL COMMITTEE OF RETIREES  
OF NATIONAL FORGE COMPANY,

Intervenors,

v.

E. ROGER CLARK, both Individually and as  
an Officer and Director of National Forge  
Company, et al.,

Defendants.

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ORDER

On this \_\_\_\_\_ day of September, 2005, and upon consideration of the Defendants' motion (the "Motion") styled "Defendants' Joint Motion for an Order Allowing Them to Withdraw Their Motion for Summary Judgment and Fixing the Date to Plead to the Amended Complaint," it is hereby

ORDERED, that the Motion is granted, and the motion for summary judgment filed by Defendants Clark, Cashman, Beyeler and Kaemmerer [Document No. 23] and accompanying brief [Document No. 25] and the joinders filed by the remaining Defendants to that motion and

brief [Document Nos. 26 and 27, respectively] are deemed withdrawn without prejudice; and it is further

ORDERED, that the Defendants shall plead to the Amended Complaint by September 26, 2005, and if the Defendants move for summary judgment, the Plaintiff (and if it elects to plead, the Intervenor) shall respond to that motion by October 17, 2005, and Defendants' replies (should they elect to file replies) shall be filed by October 31, 2005.

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SEAN P. MCLAUGHLIN  
UNITED STATES DISTRICT JUDGE

Counsel of Record \_\_\_\_\_